

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOVER NARANJO, :
: Petitioner, : 17-cv-9573 (JSR) (BCM)
: :
: -v- : 13-cr-351 (JSR)
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: :
UNITED STATES OF AMERICA, :
: Respondent. :
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JED S. RAKOFF, U.S.D.J.

On February 26, 2021, Magistrate Judge Moses issued a Report and Recommendation concerning petitioner's motion to vacate, set aside, or correct his 72-month sentence, imposed on April 9, 2014. Dkt. No. 16 (the "R&R"). The R&R directed the Clerk of the Court "to mail a copy of this Report and Recommendation to petitioner Jover Naranjo." Id. at 28. The R&R states that "the parties shall have fourteen days from [February 26, 2021] to file written objections to the R&R." Id.

On March 1, 2021, a copy of the Report and Recommendation was mailed to petitioner's address listed on the public docket at the Federal Prison Camp Schuylkill, where petitioner had been incarcerated. Petitioner, however, was released from federal custody on July 9, 2019, and, according to Probation, now resides at 25-53 90th Street East Elmhurst, New York, 11369. The Clerk of the Court is therefore directed to mail a copy of the R&R, along

with a copy of this Order, to petitioner at the above-listed address.

Although, according to the R&R, the time to file written objections has already elapsed, the Court is dubious as to whether petitioner received actual notice of the R&R. Accordingly, out of an abundance of caution, the parties shall have fourteen days from this date to file written objections to the R&R pursuant to 28 U.S.C. § 636(b) (1) and Fed. R. Civ. P. 72(b). See also Fed. R. Civ. P. 6(a) and (d). Any such objections shall be filed with the Clerk of the Court, with courtesy copies delivered to the undersigned at 500 Pearl Street, New York, New York 10007. Any request for an extension of time to file objections must be directed to the undersigned. Failure to file timely objections will result in a waiver of such objections and will preclude appellate review. See Thomas v. Arn, 474 U.S. 140 (1985); Frydman v. Experian Info. Sols., Inc., 743 F. App'x 486, 487 (2d Cir. 2018); Wagner & Wagner, LLP v. Atkinson, Haskins, Nellis, Brittingham, Gladd & Carwile, P.C., 596 F.3d 84, 92 (2d Cir. 2010).

SO ORDERED.

Dated: New York, NY
March 19, 2021



JED S. RAKOFF, U.S.D.J.